



RAY/1614 8/22/05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Armitage, et al.

Attorney Docket No.: HASLP004

Application No.: 09/673,074

Examiner: FAY, ZOHREH A

Filed: February 26, 2001

Group: 1614

Title: OCULAR IRRIGATING SOLUTION

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on July 6, 2005 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Signed:

Tara Hayden

NOTICE OF APPEAL

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed February 7, 2005 finally rejecting Claims 1-7, 9-17 and 19.

The item(s) checked below are appropriate:

Appeal Fee: \$250.00 (Small Entity) \$500.00 (Large Entity)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply:

Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR

1.17(a)-(d)) for the total number of months checked below:

07/11/2005 AKELECH1 00000040 09673074

01 FC:2401 250.00 OP

07/11/2005 AKELECH1 00000040 09673074

02 FC:2252 225.00 OP

<u>Months</u>	<u>Large Entity</u>	<u>Small Entity</u>
<input type="checkbox"/> one	\$120.00	\$ 60.00
<input checked="" type="checkbox"/> two	\$450.00	\$225.00
<input type="checkbox"/> three	\$1,020.00	\$510.00

If an additional extension of time is required, please consider this a petition therefor.

An extension for two month(s) has already been secured and the fee paid therefor of \$225.00 is deducted from the total fee due for the total months of extension now requested.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

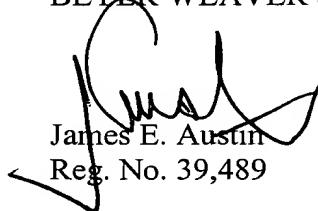
Total Fee Due

Notice of Appeal Fee	\$250.00
Extension Fee (if any)	\$225.00
 Total Fee Due	 \$475.00

Enclosed is Check No. 10823 in the amount of \$475.00.

Charge any additional fees or credit any overpayment to Deposit Account No. 500388, (Order No. HASLP004).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP


James E. Austin
Reg. No. 39,489

P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100